

**TOWN OF NEW HAMPTON
PLANNING BOARD
MEETING MINUTES
NEW HAMPTON TOWN OFFICE
NEW HAMPTON, NH 03256**

September 19, 2017

MEMBERS PRESENT:

Mr. Kettenring, Mrs. Hiltz, Mr. MacDonald, Mr. Hays, Mr. Mertz, Mr. Broadhurst, and Mr. Katz were present.

OTHERS PRESENT:

Town Administrator Mrs. Lucas, Permitting Assistant Mr. Pollock, Fire Chief Drake and Deputy Lang, Public Works Director Mr. Boucher and residents Eliza King and Jared Steer and Richard Shea

CALL TO ORDER:

Mr. Kettenring called the meeting to order at 7:00 a.m.

MINUTES

Mr. Hays made a motion, seconded by Mr. Katz, to approve the minutes of 8/15/17 as written. Vote was unanimous.

CORRESPONDENCE

Copy of Wetlands Permit application notification from NHDES for Karen Fisher.

Copy of a letter from Selectmen to Kevin and Cheryl Drake which explains the current regulations relative accessory dwelling units no longer allowed in accessory structures.

Copy of a letter from Selectmen to Anthony Sarno regarding his property use for accommodations through Airbnb and its application to zoning regulations.

Request from Selectmen for Planning Board's proposed 2018 budget.

Copy of letter of decision from ZBA for a denial of a variance request for Debra and David Marsh Trusts.

PUBLIC HEARING ON CAPITAL IMPROVEMENT PLAN (CIP)

Mr. Kettenring advised that in accordance with RSA 675:7 that the Planning Board was holding a public hearing for the purpose of considering the updated 2018-2028 Capital Improvements Program (CIP) for adoption.

Mr. Katz reviewed the CIP subcommittee's purpose and process for the plan. Information was distributed and explained for departmental requests for capital items with recommendations for replacement costs, dates, priority, and source of funding to minimize effects to the tax rate. He said the committee would meet with the Selectmen to review the plan. He suggested a committee to inventory the current town property for individual use needs. Review maintenance costs for each piece of equipment.

Mr. Kettenring asked for department head input with Chief Drake expressing concern with the committee's plan not to reconstruct the bridge over Blake Brook as a potential closure of this bridge would

restrict this access point to Coolidge Woods Road.

Mr. Kettenring closed the public hearing. Mr. Katz made a motion, seconded by Mrs. Hiltz, to adopt the plan as a recommendation to the Selectmen. Vote was unanimous.

CONTINUATION PUBLIC HEARING

Michael Sharp: NH Route 104 and Riverwood Drive, Tax Map U-17, Lot 55; proposed health focus facility with two 10,000 sq. ft. buildings, Site Plan Review

No one was present to represent the application and no contact was made to the office.

There was discussion on whether to table, or continue this application. Mr. Broadhurst made a motion, seconded by Mrs. Hiltz, to continue this hearing to 10/17/17. Vote was unanimous.

DISCUSSION WITH DEPT HEADS ON EXISTING ROADWAYS AND PREMATURE SUBDIVISIONS

Mr. Kettenring read into record a letter sent by Mrs. Lucas to department heads requesting input on concerns relative to creation of subdivisions and developments on roads where there may be issues with road condition, grade and secondary access.

Mr. Kettenring suggested limitations on the number of subdivisions or increased lot sizing on roads where the cumulative affect negatively impact residents and town services.

Mr. Boucher expressed concern with very small developments with few residents that now needs plowing and potential road improvements, using Lindsay Lane as an example.

The board asked for a list of roads that are difficult to respond to whether it is Fire, Police or Highway. Chief Drake said it is very difficult to respond to the private roadways due to their maintenance not being to the same standard as other roads in town. He is concerned with developments or long driveways with no proper turnaround for response vehicles.

Mr. Mertz suggested a list of possible improvements to different locations that may provide solutions so future subdivisions would not have a negative effect. Mrs. Lucas reminded the board that whether the roads are Class V, Class VI, or private, there are different statutes that apply to each.

Mr. Boucher suggested some language that a private roadway must be maintained to a certain standard in order to approve any subdivision as the department has had to assist on a private roadway to clear for emergency vehicles during winter weather.

Mr. Kettenring asked that the department heads develop and provide a list of roadway concerns to the Planning Board by 10/17/17.

DISCUSSION OF MASTER PLAN UPDATE

Mr. Mertz advised he would distribute revisions to the plan in the next few weeks so board members could review them prior to public hearing. Sub-committee members agreed to meet on 10/10/17 at 7:00 to discuss the Population section.

The board was reminded that the revised Master Plan would go to

Public Hearing on 11/21/17 at 7:00 pm.

DISCUSSION ON ADU “OWNER OCCUPIED” DEFINITION

Mrs. Lucas advised that discussion for this is related to the next agenda item.

DISCUSSION ON POSSIBLE 2018 ZONING AMENDMENTS

Mrs. Lucas reminded the board of the letter sent to Mr. Sarno relative to use of his property as an Airbnb. His property is residential, in an area of single family homes, and zoning allows for no more than 5 unrelated persons to reside in the dwelling. Abutting residents have said there has been no control over how many people are staying in this home, which is being used under Airbnb and is negatively impacting the neighborhood.

Mr. Sarno’s abutter Ms. King advised that they share their driveway with Mr. Sarno’s property, which is dirt and steep. She said this use as an Airbnb has negatively impacted its condition and visitors have come onto their property.

The board discussed putting restrictions on rental of houses based on duration while allowing the owners to rent their house. Mrs. Lucas said that the Fire Chief has said that there is code that can apply to the residency and use. There was discussion on requiring the registration of rental properties and current legislation being proposed to remove any local control over this type of usage. Ms. King said she is in the process of gathering information on the legislation and the study committee involved and said she would share it with the town.

Mrs. Lucas advised that when the board adopted language that addressed legislation allowing ADU’s it removed the ability for a property owner to have an accessory apartment in an unattached structure. She suggested the board revisit this allowance, considering additional restrictions such as allowing only one apartment on a lot, whether it is an ADU or an accessory apartment in a separate structure. Council advised her that the ordinance could still limit the square footage of the unit wherever it may be.

The board discussed possible amendments addressing:

1. Definition of “owner occupied” to avoid a property owner saying they occupy their property for a limited period of time, and then rent both of their units for most of the year.
2. Requirements for parking spaces for the Village District as they are not in line with the requirements in the other districts and general parking space sizes for all districts.
3. Construction of an accessory building on a site if it is related to a residential use even though a dwelling is not located on the property.
4. Definition of “temporary structure”.

The board agreed to continue discussion on all the above issues on 10/17/17 with a follow-up meeting shortly after in preparation of a Public Hearing on proposed zoning amendments.

OTHER BUSINESS

Mr. Hays spoke to the board as a citizen, removing himself from the

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board. Mr. Hays advised that when the Marsh's request for a variance was denied there were suggestions made by the ZBA on ways to accomplish what the applicant wanted. He showed a drawing which for a proposed boundary line adjustment, moving the property line between Tax Map U11 lots 7 & 9 closer to the garage on lot #7, and adding more shoreline to lot #9 from lot #7, while maintaining the required setback distance around the garage structure at 20 feet. He provided the board with the reasoning for doing this. He also said that with a recent correction to surveys, additional land was found to belong to the Marshs, so a portion of that would be added to lot #7 so as not to diminish the land area after the adjustment. Mr. MacDonald asked if this change would affect the area of usable land for the smaller lot #7 and was assured that both lots currently have dwellings and septic systems. The board agreed this was a reasonable solution and did not see any concerns.

Mrs. Lucas advised that Rick Van de Poll will be present for the Prime Wetlands Designation Hearing for Snake River on 10/17.

Mrs. Lucas asked members if any would be willing to serve as the town's representative on LRPC. Mr. Katz agreed to serve.

ADJOURNMENT

Mrs. Hiltz made a motion, seconded by Mr. MacDonald, to adjourn the meeting was adjourned at 8:44 p.m. Vote was unanimous.

Respectfully submitted,
Pamela Vose